



A G E N D A

General Plan/LCP Implementation Committee

September 24, 2008

3:30 p.m.

City Council Chambers

1. Approve Action Minutes from September 10, 2008

Attachment No. 1

3:30-3:35

2. Zoning Code Re-write

- Distribution of updated Review Strategy
- Discussion of Review Topic No. 1 – Housing Chapters
- Discussion of Review Topic No. 2 – Zoning Map/Zoning Districts and Use Tables

Attachment No. 2*

3:35-6:10

3. Zoning Code Re-write

- Distribution of review resource material

6:10-6:15

4. Items for Future Agenda

6:15- 6:20

5. Public Comments on non-agenda items

6:20-6:30

**Includes previously distributed Housing Chapters and Zoning Map/Zoning Districts and Use Tables summary sheets.*

Attachment No. 1



CITY OF NEWPORT BEACH GENERAL PLAN/LCP IMPLEMENTATION COMMITTEE

DRAFT ACTION MINUTES

Action Minutes of the General Plan/LCP Implementation Committee held at the City Council Chambers, City of Newport Beach, on **Wednesday, September 10, 2008**

Members Present:

| | |
|---|---------------------------------------|
| X | Ed Selich, Mayor, Chairman |
| X | Leslie Daigle, Mayor Pro Tem |
| X | Don Webb, Council Member |
| X | Barry Eaton, Planning Commissioner |
| X | Robert Hawkins, Planning Commissioner |
| X | Michael Toerge, Planning Commissioner |

Advisory Group Members Present:

| | |
|---|-----------------|
| X | Mark Cross |
| | Larry Frapwell |
| | William Guidero |
| X | Ian Harrison |
| X | Brion Jeannette |
| X | Don Krotee |
| X | Todd Schooler |
| | Kevin Weeda |
| | Dennis Wood |

Staff Representatives:

| | |
|---|-------------------------------------|
| X | Sharon Wood, Assistant City Manager |
| X | David Lepo, Planning Director |
| X | Robin Clauson, City Attorney |
| | James Campbell, Senior Planner |
| X | Gregg Ramirez, Senior Planner |

E = Excused Absence

Committee Actions

1. **Agenda Item No. 1** – Approval of minutes of August 13, 2008.

Action: Committee approved the draft minutes.

Vote: Consensus

2. Agenda Item No. 2 – Fair Share Fee Update

Action: The Committee was provided status of the Fair Share Fee Update project.

Vote: none

3. Agenda Item No. 3 - Zoning Code Re-write

Action: The Committee received copies of the Draft Zoning Code. The Committee concurred with staff's suggested review strategy and received information addressing the organization of the Draft Code and several outstanding issues. The Committee took public comments regarding the review. The Committee requested electronic version of the documents and agreed that future Code review meetings would be scheduled to run later than 5:30 p.m. in order to make progress on the review.

Vote: Consensus

Attachment No. 2

Code Review – Based on List of 33 Identified Issues

Number in parentheses indicates corresponding Issues List number

Review Meetings – Beginning September 24

1. Housing Chapters (Issues 10, 22)

Inclusionary Ordinance and In-Lieu Fee
Density Bonus
Conversion or Demolition of Affordable Housing in the Coastal Zone

2. Zoning Districts and Use Tables (Issues 9, 12, 17, 18, 23, 30)

Zoning Map
Districts
Use Tables
Specific Land Uses located in Part 4
Marine Related/Waterfront Uses
Definitions located in Part 7 – As Needed

3. Planning Permit Procedures - Part 5

Coastal Development Permits
Emergency Permits
Reasonable Accommodations
Modification Permits
Planned Development Permits
Site Development Reviews
Limited Term Permits
Conditional Use Permits
Minor Use Permits
Conditional Use Permits in Residential Zones
Variances
Zoning Clearance
Specific Plans

4. Residential Standards – R-1, R-2, RM (Issues 3, 8, 17, 19, 20, 26, 28, 29, 31)

Setback Maps
Height
Grade
Floor Area Limit

Outdoor Living Area/Open Space
Alley Setbacks
Outdoor Lighting
Parking Requirements and Standards
Fences, Hedges and Walls
Accessory Structures

5. Non-Residential Standards (Issues 5, 11, 17, 27, 29, 31)

Height
Grade
Outdoor Lighting
Noise
Buffering and Screening
Landscaping
Parking Requirements and Standards
Parking In-lieu Fee
TDM

6. Transfer of Development Rights (Issue 24)

7. Eating and Drinking (Issue 21)

Development Standards
Use Regulations
Outdoor Dining
Parking
Alcohol Sales

8. Standards for Specific Land Uses - Part 4

9. Non-Conforming Provisions (Issues 6, 32)

Residential
Non-Residential
CDM and Balboa Village Provisions

10. Coastal and Resource Related (Issues 1,7,15,16,33)

Bluffs and Canyons
Resource Protection (ESA, ESHA)
Wetlands
Cultural Resources
Public Views
Coastal Access
Fuel Modification

11. Oil and Gas (Issue 14)

12. Code Administration

Part 1 – Zoning Code Applicability

Part 6 – Zoning Code Administration (Hearings, Notices, etc)

13. Other

Draft Code Review No. 1 – Housing Chapters

Density Bonus - Chapter 20.32 - New

- Implements Housing Element Program 2.2.11.
- Written in accordance with state law - Govt. Code 65915
- Maximum of 35% bonus
- Uses a sliding scale to determine bonus based on affordability and number of units
- Affordable units required to be restricted a minimum of 30 years
- Affordable units would apply towards meeting RHNA goal

Inclusionary Ordinance – Chapter 20.34 – New

- Implements Housing Element Programs 2.2.1 and 2.2.2.
- Codifies in-lieu fee requirements and creates a Affordable Housing Trust Fund
- Requires that 15% of units be affordable to low income households **or** 9% of units be affordable to very low income households
- Requires affordable units to be constructed
- Converting existing units to affordable not allowed to meet requirements
- Affordable units required to restricted to a minimum of 30 years
- Affordable units would apply towards meeting RHNA goal

Conversion or Demolition of Affordable Housing in the Coastal Zone Chapter 20.36

- Revises existing Chapter 20.86
- Implements Housing Element Programs 1.1.3 and 2.2.5.
- Written in accordance with state law (Mello Act). Govt. Code 65590
- Gives authority to Director to make replacement feasibility determination
- Planning Commission is review authority in existing code.
- Affordable units required to be restricted a minimum of 30 years.
- Affordable units would apply towards meeting RHNA goal

Draft Code Review No. 2 (Issues 9, 12, 17, 18, 23, 30)

Zoning Map – Part 1, Chapter 20.14 and Back Pocket of Draft Code

- Replaces Districting Maps
- Depicts Zoning Districts
- Indicates FAR and dwelling unit maximum (and some minimums) when the standard for a specific site differs from the district standard
- Anomaly locations not shown for sites located within a Planned Community
- Anomaly numbers are consistent with those in the General Plan
- Setbacks that differ from the district standard are depicted on Setback Maps

Zoning Districts – Part 2, All Chapters

- Implements General Plan Land Use Categories (GP Table LU1 and GP Land Use maps through new zoning districts)
- Proposed uses in Zoning Districts are consistent with General Plan category descriptions
- Permit requirements took into account General Plan policies related to the identified General Plan Districts and Corridors: Balboa Peninsula, West Newport, Old Newport Boulevard, Mariners Mile, Corona del Mar, etc.
- Existing R1.5 Zoning District (Balboa Island) converted to R-2
- B Overlay zoning districts converted to base districts
- Conditional Use Permit replaces Use Permit – No major changes in processing
- Minor Use Permit with the Zoning Administrator replaces the Use Permit approved by the Director
- Notable changes/additions to use tables
 - Some non-retail (office) limited to above 1st floor only
 - Marine Incentive Use provisions eliminated
 - Emergency Shelters added in Accordance with SB2
 - Visitor Serving Retail use added
 - Marine Related Retail use added
- Eating and Drinking Establishments – Significant changes. Will require separate discussion at a later meeting